

Before the Board of Zoning Adjustment, D. C.

Application No. 11706 of Elliott and Miriam Moyer, pursuant to Section 8207.11 of the Zoning Regulations, for variances to permit parking in front of a dwelling and to permit parking less than ten (10) feet in front of a dwelling as provided by Sections 7205.12 and 7205.2, in the R-1-B Zone at premise 2968 Newark Street, N. W., Lot 28, Square 2082.

FINDINGS OF FACT:

1. The property is improved with a detached single family dwelling in the R-1-B Zone.
2. Applicant-owner testified and the Board finds, that because of the odd shape of the subject property and the position of the dwelling on the lot, that it is impossible to conform with the requirements of the Zoning Regulations.
3. The applicant testified and the Board finds, that off-street parking near or in front of the subject property is unavailable to him because of congested on-street parking in the neighborhood as a result of two theaters and several restaurants located in the neighborhood.
4. On the west side of the property a distance of six feet exists between the house and the property line. On the east side approximately 40 feet in, there exist a retaining wall. There is no rear access to the property.
5. Opposition, at the Public Hearing testified that the granting of this request would set precedent for requests by other owners in the neighborhood and the effect of a grant in this case would be to reduce on-street parking by one space.

CONCLUSIONS OF LAW:

The Board finds that applicant has established a practical difficulty to warrant the granting of the variance requested as required by Section 8207.11 of the regulations. The Board has also noted the objections of opposition but feel they are unwarranted because all variances must be approved by this Board on a case by case basis.

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Further the requested relief can be granted without detriment to the public and without impairing the intent and purpose of the Zoning Regulations.

ORDERED:

That the above application be GRANTED.

VOTE:

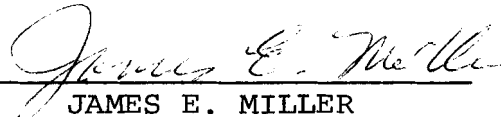
3-0 (Lilla Burt Cummings and Martin Klauber not present and not voting)

HEARING DATE: September 18, 1974

EXECUTIVE SESSION: September 24, 1974

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: OCT 22 1974

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.